

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

Rutashia Benson,

Plaintiff,

vs.

Professional Account Services, Inc.  
a foreign corporation,

Defendant.

Case No.:

**COMPLAINT**

**JURY TRIAL DEMAND**

NOW COMES THE PLAINTIFF, RUTASHIA BENSON, BY AND  
THROUGH COUNSEL, Matthew Landreau, and for her Complaint against the  
Defendant, pleads as follows:

**JURISDICTION**

1. This court has jurisdiction under the Fair Debt Collection Practices Act (“FDCPA”), 15 U.S.C. §1692k(d) and 28 U.S.C. §§1331,1337.

**VENUE**

2. The transactions and occurrences which give rise to this action occurred in the City of Trussville, Jefferson County, Alabama.
3. Venue is proper in the Northern District of Alabama, Southern Division.

### **PARTIES**

4. Plaintiff is a natural person residing in City of Trussville, Jefferson County, Alabama.
5. The Defendant to this lawsuit is Professional Account Services, Inc. (“PASI”) is a foreign corporation that conducts business in the State of Alabama.

### **GENERAL ALLEGATIONS**

6. Defendant is attempting to collect a consumer type debt allegedly owed by Plaintiff to Grandview Medical Center in the amount of \$604.00 (“the alleged Debt”).
7. Plaintiff disputes the alleged Debt.
8. On February 20, 2020, Plaintiff obtained her Equifax credit disclosure and noticed Defendant reporting the alleged Debt.
9. On or about the same day, Plaintiff sent Defendant a letter disputing the alleged Debt.
10. On April 23, 2020, Plaintiff obtained her Equifax credit disclosure, which showed that Defendant failed or refused to flag the account reflected by the alleged Debt as disputed, in violation of the FDCPA.
11. In the credit reporting industry, data furnishers, such as the Defendant, communicate electronically with the credit bureaus.

12. Defendant had more than ample time to instruct Experian, Equifax, and Trans Union to flag its trade line as Disputed.
13. Defendant's inaction to have its trade line on Plaintiff's credit report flagged as disputed was either negligent or willful.
14. Plaintiff suffered pecuniary and emotional damages as a result of Defendant's actions. Her credit report continues to be damaged due to the Defendant's failure to properly report the associated trade line.

#### **VIOLATION OF THE FAIR DEBT COLLECTION PRACTICES ACT**

15. Plaintiff reincorporates the preceding allegations by reference.
16. At all relevant times, Defendant, in the ordinary course of its business, regularly engaged in the practice of collecting debts on behalf of other individuals or entities.
17. Plaintiff is a "consumer" for purposes of the FDCPA, and the account at issue in this case is a consumer debt.
18. Defendant is a "debt collector" under the Fair Debt Collection Practices Act ("FDCPA"), 15 U.S.C. §1692a(6).
19. Defendant's foregoing acts in attempting to collect these alleged debt violated 15 U.S.C. §1692e(8) by communicating to any person credit

information, which is known to be false or should be known to be false,  
including failure to report a disputed debt as disputed.

20.To date, and a direct and proximate cause of the Defendant's failure to honor  
its statutory obligations under the FDCPA, the Plaintiff has continued to  
suffer from a degraded credit report and credit score.

21.Plaintiff has suffered economic, emotional, general, and statutory damages  
as a result of these violations of the FDCPA.

**WHEREFORE, PLAINTIFF PRAYS** that this court grant her a judgment  
against Defendant for actual damages, costs, interest, and attorneys' fees.

**DEMAND FOR JUDGMENT RELIEF**

Accordingly, Plaintiff requests that the Court grant her the following relief  
against the Defendant:

- a. Actual damages;
- b. Statutory damages;
- c. Statutory costs and attorneys' fees.

**JURY DEMAND**

Plaintiff hereby demands a trial by Jury.

DATED: May 1, 2020

By: /s/ **Matthew Landreau**

Matthew Landreau

Bar Number 4710-A22L

22142 West Nine Mile Road

Southfield, MI 48033

Telephone: (248) 353-2882

Facsimile: (248) 353-4840

E-Mail: [matt@crlam.com](mailto:matt@crlam.com)

*Attorneys for Plaintiff,*

*Rutashia Benson*